

REMARKS RESPONSIVE TO THE OFFICE ACTION

Claims 1-15 are pending. Reconsideration and allowance of the claims is respectfully requested in light of the following remarks.

RE: CLAIMS 1, 8 and 15:

Claims 1, 8 and 15 have been amended to clearly distinguish the claimed invention from the prior art method of attaching accessories directly to handle bars with U-bolt brackets and U-bolts such as disclosed in U.S. Patent No. 6,588,637 by Gates et al. ("Gates") or with clamps as disclosed in U.S. Patent No. 6,062,053 by Ho ("Ho"). U-bolt bracket technology has been available for decades, and Applicant's invention is a significant improvement. It provides no means, teaching, or suggestion of attachment to a control body.

In each of Claims 1, 8 and 15, Applicant has added a text reference to the vehicle accessory mount as being adapted for attachment to a control bracket of a handle-barred vehicle throttle or clutch control body. Support for this limitation is found throughout the specification, including all of the figures, and is particularly clear in FIGS. 2, 3 and 4. Additional support is found throughout the text of the specification, including the following paragraphs:

[0002] The present invention relates to vehicle accessories mounting systems, and in particular, to a device capable of attachment to the throttle or clutch control body ... that permits easy and secure attachment of numerous accessories.

[0038] FIG. 2 is a close-up isometric view of the preferred embodiment of the present invention disclosed in FIG. 1. In this view, vehicle 100 has a handlebar 102. A right side control body 104 is secured to handlebar 102 by a control bracket 106. Typically, right side control body 104 is a throttle and brake control body.

[0039] In FIG. 2, an accessory mount 10 is shown attached to right side control bracket 106.

[0040] In FIG. 3... Accessory mount 10 is attached to control bracket 106 of control body 104. ...

In Claim 1, Applicant has also amended “radial relief” to “body” to properly express the scope of the invention with regards to this limitation.

RE: 35 U.S.C. 103(a) Rejections

All of the claims have been rejected on the basis of 35 U.S.C. 103(a). Applicant has unsuccessfully endeavored to communicate with the Examiner with detailed responses to the Office Actions. Applicant respectfully disagrees with Examiner’s continued rejection of the claims of the present application and the basis asserted. Specifically, Applicant respectfully asserts the Examiner has disregarded the substantial differences in element relationship in asserting this rejection and based his rejections on multiple misconstructions of the cited art. Nevertheless, in the interest of economy, Applicant elects to alternatively traverse the rejection by, in combination with the present amendments, establishing the proof of nonobviousness of his invention with the submission of a declaration under 37 C.F.R. §1.132 as allowed by law. Examiner is requested to consider the Declaration.

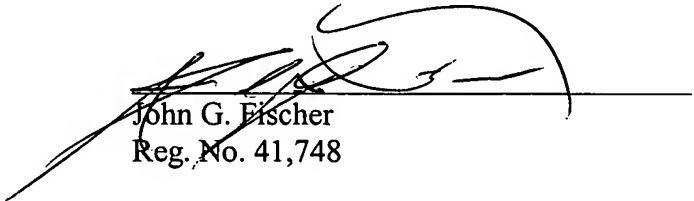
CONCLUSION

Applicant believes that, as amended, Claims 1, 8 and 15 are now in condition for allowance and reconsideration is requested. Notwithstanding this assessment, Applicant further believes that the facts presented in the submitted Declaration Under 37 C.F.R. §1.132 establish incontrovertible evidence - proof - of nonobviousness. The unparalleled commercial success of the product and direct design copying by the largest U.S. supplier are thoroughly established by the Declaration and exhibits. As such, Applicant respectfully submits the rejections under 35 U.S.C. 103(a) are traversed.

Applicant does not believe that any fees are due; however, in the event that any fees are due, the Commissioner is hereby authorized to charge any required fees due (other than issue fees), and to credit any overpayment made, in connection with the filing of this paper to Deposit Account 50-2180 of Storm LLP.

Should the Examiner require any further clarification to place this Application in condition for allowance, the Examiner is invited to telephone the undersigned at the number listed below.

Respectfully submitted,



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Dated: January 12, 2007

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